

Doc Code: AP.PRE.REQ

PTO/SB/33 (09-08)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

1033-IS00300

Application Number

10/616,515

Filed

2003-07-09

First Named Inventor

Hunter Sinclair

Art Unit

2151

Examiner

MADAMBA, Gelnford J.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

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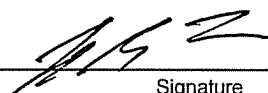
attorney or agent of record.

Registration number 38,342

☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34



Signature

Jeffrey G. Toler

Typed or printed name

512-327-5515

Telephone number

10-27-2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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*Total of forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hunter Sinclair, et al.

Title: CONNECTION MANAGER AND METHODS OF CONNECTION
MANAGEMENT

App. No.: 10/616,515 Filed: July 9, 2003

Examiner: MADAMBA, Glenford J. Group Art Unit: 2151

Customer No.: 60533 Confirmation No.: 1785

Atty. Dkt. No.: 1033-IS00300

MS: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REMARKS IN SUPPORT OF PRE-APPEAL BRIEF
REQUEST FOR REVIEW**

Dear Sir:

In response to the Final Office Action mailed July 25, 2008 (the "Office Action") and further pursuant to the Notice of Appeal and Pre-Appeal Brief Request for Review submitted herewith, Applicants respectfully request review and reconsideration of the Final Office Action in view of the following issues.

Claims 1, 9-14 and 25-37 are Allowable

The Office has rejected claims 1, 9-14 and 25-37, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,615,276 ("Mastrianni"), in view of U.S. Patent No. 6,799,286 ("Evans"), in view of U.S. Patent No. 6,778,651 ("Jost") and further in view of U.S. Published Application No. 2003/0182556 ("Sunder"). Applicants respectfully traverse the rejections.

The cited portions of Mastrianni, Evans, Jost and Sunder, individually or in combination, do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Mastrianni, Evans, Jost, and Sunder individually or in combination, fail to disclose or suggest that an advice window is selectively displayed after a user entry of text fails to match one of a plurality of known domain name extensions, as in claim 1.

In contrast to claim 1, the cited portions of Mastrianni describe an input screen that allows a user to specify information such as an “account name, user-id and password information for the account 806.” *See* Mastrianni, Fig. 8 and col. 7, lines 14-20. As disclosed in Mastrianni, an advice window is not selectively displayed after the user entry of text fails to match one of a plurality of known domain name extensions. In further contrast to claim 1, the cited portions of Evans describe a non-modal, error balloon that is selectively displayed within a graphical user interface display in an attempt to assist a user logging onto to a computer. *See* Evans, col. 3, lines 52-56. Displaying an error balloon suggesting that a user retype a password is different from selectively displaying an advice window after a user entry of text fails to match one of a plurality of known domain name extensions. Further, the cited portions of Jost describe providing a visual alert to the user when the keyboard is in the caps lock mode of operation by presenting either or both of a unique text insertion cursor or a unique mouse text pointer in place of the standard text insertion cursor or mouse text pointer. *See* Evans, Abstract. Providing a visual alert in the event that the keyboard is in the caps lock mode of operation is different from selectively displaying an advice window after a user entry of text fails to match one of a plurality of known domain name extensions.

In making the rejection of claim 1, the Office cited Sunder Figures 6, 8, and 15-19 and paragraphs 79 and 88 as disclosing that the advice window is selectively displayed after the user entry of text fails to match one of a plurality of domain names. Figure 6 is described as “a graphical end-user interface presented to the customer to allow an input of basic settings” and shows a field with the descriptive text “Pre-fill domain name to:” next to it. *See* Sunder, Figure 6 and paragraph 16. Neither Figure 6 nor paragraph 58 that describes Figure 6 discloses what happens if an incorrect domain name is entered and neither disclose that the advice window is selectively displayed after the user entry of text fails to match one of a plurality of known domain name extensions.

Further, Figures 8, 15, 16, 17, 18 and paragraphs 79 or 88 do not disclose or suggest where the advice window is selectively displayed after the user entry of text fails to match one of a plurality of known domain name extensions. In addition, Figure 19 is described as “a graphical end-user interface presented on the client machine that prompts the end-user for end-user information” and a graphical end-user interface “is automatically displayed if the end user dials an access point without providing all the required end-user information.” Sunder, Figure 19, paragraph 29 and 94. Displaying a graphical end-user interface if all the required end-user information is not provided is not the same as where the advice window is selectively displayed after the user entry of text fails to match one of a plurality of known domain name extensions. As disclosed in Sunder, if all the required end-user information is provided, then the graphical end-user interface disclosed in Figure 19 will not be displayed, regardless of whether or not the user entry of text fails to match one of a plurality of known domain name extensions, as in claim

1. Hence claim 1 is allowable. Claims 9-13 depend from claim 1. Therefore, claims 9-13 are also allowable, at least by virtue of their dependence from claim 1.

The cited portions of Mastrianni, Evans, Jost and Sunder, individually or in combination, do not disclose or suggest the specific combination of claim 14. As stated above, the cited portions of Mastrianni, Evans, Jost, and Sunder individually or in combination, fail to disclose or suggest that an advice window is selectively displayed after a user entry of text fails to match one of a plurality of known domain name extensions, as in claim 14. As disclosed in Sunder, if all the required end-user information is provided, then the graphical end-user interface disclosed in Figure 19 will not be displayed, regardless of whether or not the user entry of text fails to match one of a plurality of known domain name extensions, as in claim 14. Hence claim 14 is allowable. Claims 33-37 depend from claim 14. Therefore, claims 33-37 are also allowable, at least by virtue of their dependence from claim 14.

The cited portions of Mastrianni, Evans, Jost, and Sunder, individually or in combination, do not disclose or suggest a connection manager where the query is configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer, as in claim 25. The Office admits that cited portions of Mastrianni, Evans, and Jost fail to disclose or suggest a connection manager where the query is configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer. *See* Office Action, page 14.

In making the rejection of claim 25, the Office cites paragraphs 16-25, 46, 57-59, 80, and 81 and Figures 3-7 of Sunder. Paragraphs 16-25 do not disclose or suggest a connection manager where the query is configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer.

Paragraph 46 contains one word, "Architecture" and is it unclear how the word "Architecture" discloses or suggests the specific combination of claim 25. Paragraphs 57, 58, 59 of Sunder do not disclose or suggest a connection manager where the query is configured to ask permission from a user to allow the error handling component to perform one or more actions. Sunder, paragraph 57. Paragraph 80 of Sunder discloses a case where the customer may instruct the customization system not to update the dialer automatically unless instructed otherwise but does not disclose or suggest a connection manager wherein the query is configured to ask permission from a user to allow the error handling component to perform one or more actions. *See* Sunder, paragraph 80. Paragraph 81 only contains the heading, "Methodology: Phonebook Generation".

In the cited portions of Sunder, an error code is reported but the user is not asked for permission of any kind for a subsequent action. Reporting of an error code differs from asking for permission and therefore, the cited portions of Mastrianni, Evans, Jost, and Sunder fail to disclose or suggest a connection manager where the query is configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer, as in claim 25. Hence, claim 25 is allowable. Claims 26-29 depend from claim 25. Therefore, claims 26-29 are also allowable, at least by virtue of their dependence from claim 25.

The cited portions of Mastrianni, Evans, Jost, and Sunder, individually or in combination, do not disclose or suggest a user query configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer, as in claim 30. The Office admits that the cited portions of Mastrianni, Evans, and Jost fail to disclose or suggest a connection manager where the query is configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer. *See* Office Action, page 14.

In making the rejection of claim 30, the Office cites paragraphs 16-25, 46, 57-59, 80, and 81 and Figures 3-7 of Sunder. As stated above in relation to claim 25 paragraphs 16-25, 46, 57-59, 80, and 81 and Figures 3-7 of Sunder do not disclose or suggest a user query configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer, as in claim 30. Instead, the cited portions of Sunder describe the reporting of errors to the user and the user is not asked for permission of any kind for a subsequent action. Reporting of an error code differs from asking permission from a user and therefore, the cited portions of Mastrianni, Evans, Jost, and Sunder fail to disclose or suggest a user query configured to ask permission from a user to allow the error handling component to perform one or more actions when applying the diagnostic logic to address the error associated with the dialer, as in claim 30. Hence, claim 30 is allowable. Claims 31 and 32 depend from claim 30. Therefore, claims 31 and 32 are also allowable, at least by virtue of their dependence from claim 30.

Claims 6 and 19 are Allowable

The Office has rejected claims 6 and 19 under 35 U.S.C. §103(a) as being unpatentable over Mastrianni, in view of Evans, Jost, and Sunder and further in view of U.S. Patent Pub. No. 2004/0036679 ("Emerson"). Applicants respectfully traverse the rejections.

Further, the cited portions of Mastrianni, Evans, Jost, Sunder, and Emerson, individually or in combination, fail to disclose or suggest an advice window configured for display when the

form component is available for manipulation by the user and before a button is selected by the user, as in claims 6 and 19. In making the rejection, the Office states

“... the advice window configured for initial display when the form component is available for manipulation by the user but before the manipulated form component is selected by the user (e.g. providing an audible/visual indicator, alert and/or ‘message’ to the user that the keyboard state is in the “CAPS LOCK” mode when the user begins to type in the input text component.” Office Action, page 33, (*citing* Emerson paragraphs 17, 87-89, 92-95, 99-101, 128-129, and Figures 7-9.

The Office Admits that the cited portions of Emerson disclose an advice window displayed when the user begins to type. See Office Action, page 33. Because typing requires the user to select a button to type, Emerson fails to disclose or suggest displaying an advice window before a button is selected by the user. Therefore, the cited portions of Mastrianni, Evans, and Emerson fail to disclose or suggest the specific combination of claims 6 and 19.

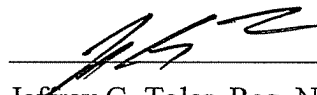
CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Final Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims. The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, to credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

10-27-2008
Date


Jeffrey G. Toler, Reg. No. 38,342
Attorney for Applicants
Toler Law Group, Intellectual Properties
8500 Bluffstone Cove, Suite A201
Austin, Texas 78759
(512) 327-5515 (phone)
(512) 327-5575 (fax)